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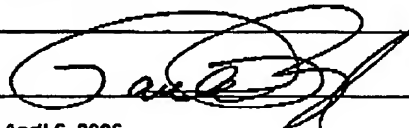



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/017,718 | |
| | Filing Date | December 14, 2001 | |
| | First Named Inventor | WEISGRABER, KARL H. | |
| | Group Art Unit | 1632 | |
| | Examiner Name | T.N. Ton | |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number | UCAL-222 |
| ENCLOSURES (check all that apply) | | | |
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> 1) Communication (1 pg.) 2) Declaration (2 pgs.) | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
| Firm or Individual Name | PAULA A. BORDEN, Reg. No. 42,344 | | |
| Signature |  | | |
| Date | April 6, 2006 | | |

| | | | |
|---|---|------|---------------|
| CERTIFICATE OF FACSIMILE TRANSMISSION | | | |
| I hereby certify that this correspondence is being facsimile filed under 37 C.F.R. §§ 1.6(d) and 1.8(a)(1)(b) addressed to: 571-273-0736 on this date: April 6, 2006. | | | |
| Typed or printed name | Cindy Kim Hoang | Date | April 6, 2006 |
| Signature |  | | |

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450 Alexandria VA 22313-1450.

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| Facsimile No. 571-273-0736 | RECEIVED CENTRAL FAX CENTER APR 06 2006 |
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|---|----------------------------------|--|
| COMMUNICATION Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Attorney Docket Confirmation No. | UCAL-222 5282 |
| | First Named Inventor | K.H. Weisgraber |
| | Application Number | 10/017,718 |
| | Filing Date | December 14, 2001 |
| | Group Art Unit | 1632 |
| | Examiner Name | T.N. Ton |
| | Title | <i>Gene-targeted animal model of apolipoprotein E4 domain interaction and uses thereof</i> |

Sir:


Applicants submit herewith a Declaration under 37 C.F.R. §1.132. On April 4, 2006, Examiner Ton called the undersigned, and indicated that the Declaration under 37 C.F.R. §1.132 as filed in this application on February 1, 2006, should be amended to include a statement that the amendatory material includes no new matter.

The Declaration under 37 C.F.R. §1.132 submitted herewith includes a statement that the amendatory material includes no new matter.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number UCAL-222.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: Apr. 6, 2006

By: 
Paula A. Borden
Registration No. 42,344

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East Palo Alto, CA 94303
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Atty Dkt. No.: UCAL-222
 USSN: 10/017,718
 Exhibit 1

| | | |
|---|----------------------------------|---|
| RECEIVED CENTRAL FAX CENTER APR 06 2006 | | |
| FACSIMILE NO. 571-273-0733 | | |
| DECLARATION UNDER 37 C.F.R. § 1.132 AND 37 C.F.R. §1.57 (f) | Attorney Docket Confirmation No. | UCAL-222 5282 |
| | First Named Inventor | K.H. Weisgraber |
| | Application Number | 10/017,718 |
| | Filing Date | December 14, 2001 |
| | Group Art Unit | 1632 |
| | Examiner Name | T.N. Ton |
| | Title | Gene-targeted animal model of apolipoprotein E4 domain interaction and uses thereof |
| Address to: Commissioner for Patents Alexandria, VA 22313-1450 | | |

Dear Sir:

1. I, Paula A. Borden, declare and say I am agent of record in the above-captioned patent application.


2. An amendment, filed on July 6, 2004 in this application, amended the specification and drawings to include the following amendatory material: 1) new Figures 5A and 5B; and 2) a new paragraph on page 17, between paragraphs 0068 and 0069. The amendatory material was added to include material incorporated by reference in the specification. Specifically, paragraph 0068 of the instant specification refers to Weisgraber ((1994) *Adv. Protein Chem.* 45:249-302; "Weisgraber") for the disclosure of amino acid sequences of apoE from a variety of species. New Figures 5A and 5B correspond to Figure 1 on page 252 of Weisgraber, which Figure 1 provides amino acid sequences of apoE from a variety of species; and the new paragraph corresponds to the legend to Figure 1 of Weisgraber. The April 20, 2004 Office Action requested that the disclosure be amended to include the material incorporated by reference to Weisgraber.

Atty Dkt. No.: UCAL-222
USSN: 10/017,718
Exhibit 1

3. As provided for in MPEP §608.01(p) and 37 C.F.R. §1.57(f), I declare that the amendatory material consists of the same material incorporated by reference in this application; and that the amendatory material adds no new matter.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code, and that such will false statements may jeopardize the validity of the application or any patent issuing thereon.

Apr. 6, 2006
Date


Paula A. Borden

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